

CHAPTER 1 THE ZONING REGULATIONS

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100 ENACTMENT AND TITLE

- 100.1 The Zoning Commission for the District of Columbia, pursuant to authority conferred by Congress under the Zoning Act of June 20, 1938 (52 *Stat.* 797), as thereafter amended, after public notice and hearing prescribed by law, does hereby establish and adopt these regulations and the zoning maps accompanying them to supersede in full the zoning regulations and the "official height, area, and use atlases" previously in effect and that are hereby repealed.
- 100.2 The regulations and the zoning maps (as originally adopted) became effective at 12:01 a.m., May 12, 1958.
- 100.3 The Zoning Regulations of the District of Columbia adopted August 30, 1920, as amended, shall continue in full force and effect as follows:
- (a) With respect to any construction or occupancy authorized in this title under §§3202.5, 3202.7, 3202.8, 3203.7, 3203.8, 3203.9, or 3203.11 of chapter 32 of this title;
 - (b) With respect to any right accrued, any duty imposed, any offense committed, any penalty incurred, or any proceeding commenced under or by virtue of the regulations repealed; and
 - (c) With respect to any civil suit, action, or proceeding pending to enforce any right under the authority of the regulations repealed, and any suit, action, or proceeding shall and may proceed with and conclude under the regulations in existence when the suit, action, or proceeding was instituted.
- 100.4 The long title of the Zoning Regulations, as adopted, shall be as follows:

REGULATIONS CONTROLLING AND RESTRICTING THE HEIGHT, BULK, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE OPEN SPACES AROUND THEM, THE DENSITY OF POPULATION, AND THE USES OF BUILDINGS, STRUCTURES, AND LAND IN THE DISTRICT OF COLUMBIA, AND FOR SAID PURPOSES DIVIDING THE DISTRICT OF COLUMBIA INTO ZONING DISTRICTS.

- 100.5 The regulations set forth in this title shall be known and may be cited by the short form title of the "Zoning Regulations of the District of Columbia."

101 INTERPRETATION AND APPLICATION

- 101.1 In their interpretation and application, the provisions of this title shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, and general welfare for the following purposes:

- (a) To provide adequate light and air;
- (b) To prevent undue concentration of population and the overcrowding of land; and
- (c) To provide distribution of population, business and industry, and use of land that will tend to create conditions favorable to transportation, protection of property, civic activity, and recreational, educational, and cultural opportunities; and that will tend to further economy and efficiency in the supply of public services.

- 101.2 The regulations set forth in this title and the zoning maps are designed with consideration of the following:

- (a) The character of the respective districts;
- (b) The suitability of each district for the uses permitted in each district under this title; and
- (c) The encouragement of the stability of districts and of land values in those districts.

- 101.3 The provisions of this title shall govern whenever the regulations in this title do the following:

- (a) Require larger yards, courts, or other open spaces;

- (b) Require a lower height or bulk of buildings or a smaller number of stories;
 - (c) Require a greater percentage of lot to be unoccupied; or
 - (d) Impose other higher standards than are required in or under any statute or by any other municipal regulations.
- 101.4 The provisions of any statute or other municipal regulations shall govern whenever the provisions of that statute or of the other municipal regulations do the following:
- (a) Require larger yards, courts, or other open spaces;
 - (b) Require a lower height or bulk of buildings or a smaller number of stories;
 - (c) Require a greater percentage of lot to be unoccupied; or
 - (d) Impose higher standards than are required by this title.
- 101.5 No building, structure, or premises shall be used, and no building, structure, or part of a building or structure shall be constructed, extended, moved, structurally altered, or enlarged except in conformity with this title.
- 101.6 Where a lot is divided, the division shall be effected in a manner that will not violate the provisions of this title for yards, courts, other open space, minimum lot width, minimum lot area, floor area ratio, percentage of lot occupancy, parking spaces, or loading berths applicable to that lot or any lot created.
- 101.7 If any section or provision of this title, or any boundary of any district on the zoning maps adopted under this title, is decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of the regulations and the zoning maps as a whole, or any part of the regulations or maps, other than the part determined to be unconstitutional or invalid.

102 AMENDMENTS

- 102.1 As provided in the Zoning Act of June 20, 1938 (52 Stat. 797), as amended, the Zoning Commission may from time to time amend any part or all of the regulations set forth in this title and the zoning maps adopted in this title.
- 102.2 Amendments to this title or the zoning maps may be proposed by any of the following:
- (a) The owner of property for which amendments are proposed;
 - (b) The Zoning Commission for the District of Columbia;
 - (c) The National Capital Planning Commission;
 - (d) The D.C. Office of Planning;

- (e) The Department of Housing and Community Development; or
 - (f) Any other department of the District or federal government.
- 102.3 Proposed amendments to this title and applications for planned unit development proposals under chapter 24 of this title shall be submitted to the Office of Zoning.
- 102.4 The Zoning Commission shall adopt a form of application, and establish the number of copies, the required supporting data to accompany each application, and the time and manner of filing all applications.
- 102.5 The Zoning Commission may from time to time amend the form of application, number of copies, the required supporting data, and the time and manner of filing by announcing at a public hearing and posting a notice of the change in the Office of Zoning without any advance notice and without amending the provisions of this title.
- 102.6 Before adopting any proposed amendment to this title or the zoning maps, the Zoning Commission shall submit the proposed amendment to the D.C. Office of Planning for opinion or report; Provided, that if the Office of Planning fails to transmit its opinion or report to the Zoning Commission within the period specified in §2509, the Zoning Commission may proceed to take final action on the amendment.
- 102.7 Before adopting any proposed amendment to this title or the zoning maps, the Zoning Commission shall hold a public hearing on the proposed amendment in accordance with the provisions of §§102.8 through 102.11.
- 102.8 Notice of the time and place of each public hearing shall be published at least once in a daily newspaper or newspapers of general circulation in the District at least thirty (30) days in advance of the hearing.
- 102.9 The hearing notice shall include a general summary of the proposed amendment to this title, and the boundaries of any territory included in the proposed amendment to the zoning map.
- 102.10 The Zoning Commission shall give additional notice of the hearing as it shall deem feasible and practicable.
- 102.11 The public hearing may be adjourned from time to time. If the time and place of the adjourned hearing is publicly announced when the hearing is adjourned, no further notice of the adjourned hearing needs to be published.
- 102.12 Any amendment to this title or the zoning maps shall require the favorable vote of not less than a majority of the full membership of the Zoning Commission.

103 - 104 **[RESERVED]**

105 **ZONING DISTRICTS**

105.1 For the purpose of this title, the District of Columbia shall be divided into the following districts:

(a) **RESIDENCE DISTRICTS**, as follows:

(1) **R-1** one-family detached dwellings, subdivided as follows:

(A) **R-1-A** low density; and

(B) **R-1-B** high density;

(2) **R-2** one-family, semi-detached dwellings;

(3) **R-3** row dwellings;

(4) **R-4** row dwellings, conversions, and apartments; and

(5) **R-5** general residence, subdivided as follows:

(A) **R-5-A** low density;

(B) **R-5-B** moderate density;

(C) **R-5-C** medium density;

(D) **R-5-D** medium-high density; and

(E) **R-5-E** high density;

(b) **SPECIAL PURPOSE DISTRICTS**, as follows:

(1) **SP** limited offices and apartments, subdivided as follows:

(A) **SP-1** medium density; and

(B) **SP-2** medium-high density;

(c) **MIXED USE (Commercial-Residential) DISTRICTS**, as follows:

(1) **CR** mixed uses (retail, residential, office, and light industry);

(d) **COMMERCIAL DISTRICTS**, as follows:

(1) **C-1** neighborhood shopping;

- (2) C-2 community business center, subdivided as follows:
 - (A) C-2-A medium density;
 - (B) C-2-B medium-high density; and
 - (C) C-2-C high density;
- (3) C-3 major business and employment center, subdivided as follows:
 - (A) C-3-A medium bulk;
 - (B) C-3-B medium bulk; and
 - (C) C-3-C high bulk;
- (4) C-4 central business district; and
- (5) C-5 (PAD) Pennsylvania Avenue development;
- (e) **INDUSTRIAL DISTRICTS**, as follows:
 - (1) C-M commercial-light manufacturing, subdivided as follows:
 - (A) C-M-1 low bulk;
 - (B) C-M-2 medium bulk; and
 - (C) C-M-3 high bulk; and
 - (2) M general industry;
- (f) **LANGDON OVERLAY DISTRICT**;
- (g) **WATERFRONT ZONE DISTRICTS**, as follows:
 - (1) W mixed uses, subdivided as follows:
 - (A) W-1 low density;
 - (B) W-2 medium density; and
 - (C) W-3 high density;
- (h) **MIXED USE DIPLOMATIC DISTRICT**, as follows:
 - (1) D low and medium density; and

- (i) **HOTEL-RESIDENTIAL INCENTIVE DISTRICT**, as follows:
 - (1) HR high density;
 - (j) **CAPITOL INTEREST OVERLAY DISTRICT**, as follows:
 - (1) CAP low to medium density;
 - (k) **NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICTS**, as follows:
 - (1) Cleveland Park Neighborhood Commercial Overlay District;
 - (2) Woodley Park Neighborhood Commercial Overlay District; and
 - (3) Macomb-Wisconsin Neighborhood Commercial Overlay District;
 - (l) **REED - COOKE OVERLAY DISTRICT**;
 - (m) **MISCELLANEOUS OVERLAY DISTRICTS**, as follows:
 - (1) Dupont-Circle Overlay District;
 - (2) Tree and Slope Protection Overlay District;
 - (3) Foggy Bottom Overlay District;
 - (4) Naval Observatory Precinct District;
 - (5) Wesley Heights Overlay District; and
 - (6) Sixteenth Street Heights Overlay District;
 - (n) **DOWNTOWN DEVELOPMENT DISTRICT**; and
 - (o) **UPTOWN ARTS - MIXED USE OVERLAY DISTRICT**.
- 105.2 The districts shall be as shown, defined, and bounded on the Zoning Map (See §106).
- 105.3 Areas of the District designated as "UR" shall be redevelopment or urban renewal areas as established by plans approved by the Council of the District of Columbia under authority of Congressional legislation. These areas have not been made a part of the Comprehensive Zoning Plan adopted as a part of this title.

106 ZONING MAP

- 106.1 The Official Zoning Map of the District of Columbia shall be drawn on four (4) real estate atlases prepared for the District by R.H. Baist and Company, Volume 1 through 4; Provided, that the present zoning map shall remain in full force and effect until the Official Zoning Map is prepared on four (4) Baist real estate atlases as provided for in this subsection and approved by the Zoning Commission.
- 106.2 The zoning map atlases shall be on file in the Office of Zoning.
- 106.3 Each page of the zoning map atlases shall be certified as correct by the Director of the Office of Zoning. Amendments shall be initialed and dated.
- 106.4 Properties owned by the government of the United States and used for or intended to be used for a federal public building or use and properties owned by the D.C. government in the Central Area (as set forth in D.C. Code §1-2004 (1981)) shall not be included in any zone district.
- 106.5 Properties of the District of Columbia government shall be subject to zoning; Provided that:
- (a) Any governmental land or building uses that were either in existence or were substantially planned, documented and invested in prior to May 23, 1990, shall not be subject to zoning;
 - (b) With regard to the properties referenced in ¶(a) above, any change or expansion in the use of land or buildings, or any new construction or additions to buildings shall be subject to zoning; and
 - (c) District of Columbia public buildings in the Central Area shall be exempt from zoning but shall continue to require approval of the National Capital Planning Commission, pursuant to §5(c) of the Planning Act (40 U.S.C. 71d(c)).
- 106.6 Properties acquired by the government of the United States and properties in the Central Area acquired by the government of the District of Columbia which are intended to be used for public building or use shall become automatically unzoned.
- 106.7 No building permit or certificate of occupancy shall be issued nor proceeding instituted before the Board of Zoning Adjustment, nor shall any property in private ownership be used for any purpose, until after the Zoning Commission has designated zoning for the property.
- 106.8 Zoning shall be designated after public hearing in the manner prescribed by the Zoning Act of June 20, 1938, D.C. Code §§5-413 *et seq.* (1981).

- 106.9 Nothing in this section shall prevent either of the following:
- (a) Minor repairs and alterations to buildings and structures for which no building permit is required, as set forth in the D.C. Building Code (DCMR Title 12); or
 - (b) A caretaker from residing on property formerly owned by the government of the United States, or property in the Central Areas formerly owned by the government of the District of Columbia, for which zoning has not been designated, for the purpose of maintaining and preventing the deterioration of the premises.
- 106.10 The official Zoning Map and all explanatory material on the map shall be incorporated by reference and made a part of this title.
- 106.11 In addition to the Official Zoning Map, a Summary Zoning Map shall be prepared and published.
- 106.12 The Summary Zoning Map shall not be considered to supersede the Official Zoning map, but shall be prepared for the purpose of guidance only.

SOURCE: §§2201 and 2202 of Regulations effective May 12, 1958; as amended by Final Rulemaking published at 5 DCR 174 (January 12, 1959); by Final Rulemaking published at 19 DCR 1013 (May 29, 1973); and by Final Rulemaking published at 30 DCR 299 (January 21, 1983).

107 ZONING DISTRICT BOUNDARY LINES

- 107.1 The district boundaries shall be shown on each section of the Zoning Map.
- 107.2 The scale of the Zoning Map and the dimensions entered on the map shall be shown on each section of the map to serve as guides.
- 107.3 Dimensioned district boundaries showing on the Zoning Map are intended to coincide generally with lot lines. Where a dimensional boundary line coincides within one foot (1 ft.) or less with a lot line of a lot of record on May 12, 1958, that boundary line shall be construed to be the lot line at that location.
- 107.4 Whenever a portion of any district is indicated as a strip paralleling an opened or unopened street, the width of this strip, unless delimited by lot lines or otherwise dimensioned, shall be assumed to be one hundred feet (100 ft.) measured at a right angle from the nearest street to which it is parallel and adjacent.
- 107.5 In all other cases, the zone district boundary lines shall be intended to follow existing lot lines, the center lines of streets, alleys (including any closed streets or alleys not previously zoned), and natural water courses.
- 107.6 In the case of tidal water areas, the boundary shall be either the mean high water level or the established pierhead lines, whichever gives the greatest control.
- 107.7 In cases of disagreement or uncertainty existing as to the exact location of a boundary line, the Board of Zoning Adjustment, upon appeal filed in accordance with §3101, shall determine the exact location of the boundary.
- 107.8 When a district boundary line divides a lot which is in single ownership on May 12, 1958, the permitted use, height density, or bulk of a structure located on that lot may be determined by the provisions of §2514.

199 DEFINITIONS

- 199.1 When used in this title, the following terms and phrases shall have the meanings ascribed:

Accessory apartment - a complete apartment unit contained within a single-family detached house. It has kitchen and bath facilities separate from the principal dwelling and may have a separate entrance. (40 DCR 6364)

Accommodation, transient - a structure or building other than a private club, single-family or two-family dwelling, apartment house, boarding house, rooming house, and tenement house, within which structure or building units are used for transient guests from time to time, or for the guests of which units the landlord is subject to the tax imposed by the

"District of Columbia Hotel Occupancy and Surtax on Corporations and Unincorporated Business Tax Act of 1977." The accommodations may include, but not be limited to, bed and breakfast accommodations, guest houses, guest quarters, hotels, inns, motels and tourist homes. (36 DCR 7625)

Alley - a public way designated as an alley in the records of the Surveyor of the District of Columbia.

Alterations, structural - any change in the permanent, physical members of a building or other structure, such as bearing walls or partitions, columns, joists, rafters, beams, or girders.

Antenna - a device used to transmit or receive communications signals. This term encompasses transmitting and receiving elements, and any tower and immediately related support and stabilizing elements, and rotating or other directional mechanism. (36 DCR 1509)

Antenna, commercial broadcast - an antenna used for television and commercial radio broadcasting by a profit or non-profit entity. The transmitting antenna may be affixed to a tower or to the top of a building. In amplitude modulation (AM) radio service, the tower also acts as the antenna. (36 DCR 1509)

Antenna, microwave, terrestrial - a dish, horn, or other type antenna used for point-to-point microwave communication of sound, visual images or data from one terrestrial point to another. (36 DCR 1509)

Antenna, satellite earth station - an antenna used to transmit or receive sound, visual images or data from one or more space stations or from one or more stations of the same kind by means of satellites or other objects in space. (36 DCR 1509)

Antenna, super high frequency - an antenna which serves a super high frequency channel and requires a line of sight to the transmitting antenna, and which generally consists of a metal grid or a sheet of bent metal, and is mounted on the pole of a UHF or VHF antenna or on a roof structure. (36 DCR 1509)

Antenna, whip - an antenna generally consisting of a single pole or mast, also called a broomstick antenna, sometimes including irregularly shaped prongs or attachments at its extremity, including an antenna used for citizens band or two-way radio communications. (36 DCR 1509)

Antenna, yagi - a very high frequency (VHF) or ultrahigh frequency (UHF) directional antenna array in which a basic whip or dipole antenna is supplemented by one or more parallel reflector and director elements. (36 DCR 1509)

Apartment - one (1) or more habitable rooms with kitchen and bathroom facilities exclusively for the use of and under the control of the occupants of those rooms.

Apartment, bachelor - one (1) or more habitable rooms with bathroom facilities exclusively for the use of and under the control of the occupants of those rooms in a building containing three (3) or more apartments; Provided, that in the building no kitchen facilities or privileges shall be available to or used by the occupants of the bachelor apartment.

Apartment house - any building or part of a building in which there are three (3) or more apartments, or three (3) or more apartments and one (1) or more bachelor apartments, providing accommodation on a monthly or longer basis. (36 DCR 7625)

Art center - a multifunctional arts use that: (a) comprises three (3) or more distinct arts and arts-related uses as specified in §1909 of this chapter; (b) at least one of the uses must be an art gallery art school, artist housing, artist studio, concert hall, dinner theater, legitimate theater, movie theater, or museums; (c) is operated in a unified way under single management; and (d) occupies part or all of a building or a group of buildings within the same square. (39 DCR 8328)

Art gallery - an establishment that derives more than fifty per cent (50%) of its income from the display and sale of objects of art. (35 DCR 465)

Artist housing - an apartment or studio where an artist works and lives. (39 DCR 8328)

Artist studio - a place of work of one or more persons who are engaged actively, and either gainfully or as a vocation in the following:

- (a) The fine arts, including but not limited to, painting, printmaking, or sculpturing;
- (b) The performing and visual arts, including but not limited to, dance, choreography, photography or filmmaking;
- (c) Ceramics; or
- (d) The composition of music. (35 DCR 465)

Automobile laundry - a structure or portion of a structure, the principal use of which is the washing of automobiles or other motor vehicles with the use of a chain or other conveyor and blower or steam cleaning device.

Basement - that portion of a story partly below grade, the ceiling of which is four feet (4 ft.) or more above the adjacent finished grade.

Boarding house - a building or part of a building that provides, for compensation, meals or lodging and meals to three (3) or more guests on a monthly or longer basis. The term "boarding house" shall not be interpreted to include an establishment known as, or defined in this title as, a hotel, motel, inn, bed and breakfast, private club, tourist home, guest house, or other transient accommodation. (35 DCR 7625)

Building - a structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, or chattel. When separated from the ground up or from the lowest floor up, each portion shall be deemed a separate building, except as provided elsewhere in this title. The existence of communication between separate portions of a structure below the main floor shall not be construed as making the structure one (1) building.

Building, accessory - a subordinate building located on the same lot as the main building, the use of which is incidental to the use of the main building.

Building area - the maximum horizontal projected area of a building and its accessory buildings. The term "building area" shall include all side yards and open courts less than five feet (5 ft.) in width, and all closed courts less than six feet (6 ft.) in width. Except for outside balconies, this term shall not include any projections into open spaces authorized elsewhere in this title, nor shall it include portions of a building that do not extend above the level of the main floor of the main building, if placed so as not to obstruct light and ventilation of the main building or of buildings on adjoining property.

Building, height of - the vertical distance measured from the level of the curb opposite the middle of the front of the building to the highest point of the roof or parapet.

In those districts in which the height of building is limited to forty feet (40 ft.), the height of the building may be measured from the finished grade level at the middle of the front of the building to the ceiling of the top story.

In those districts in which the height of the building is limited to sixty feet (60 ft.), in the case of a building located upon a terrace, the height of building may be measured from the top of the terrace to the highest point of the roof or parapet, but the allowance for terrace height shall not exceed five feet (5 ft.).

Where a building is removed from all lot lines by a distance equal to its proposed height above grade, the height of building shall be measured from the natural grade at the middle of the front of the building to the highest point of the roof or parapet.

If a building fronts on more than one (1) street, any front may be used to determine the maximum height of the building; but the basis for the height of the building shall be determined by the width of the street selected as the front of the building.

In those districts in which the heights of building is permitted to be ninety feet (90 ft.) or greater, the height of buildings shall be measured to the highest point of the roof excluding parapets not exceeding three feet (3 ft.) in height.

Cabaret - a restaurant or nightclub providing as the main focus of its business, programs of live entertainment such as singing, dancing, comedy, literary readings, or performance art. In a cabaret, the clientele generally sit at tables in order to watch the entertainment and are attended by waiters or waitresses who serve food or drink. Typically, there may be more than one show in an evening and a complete turnover in patrons. (39 DCR 8328)

Caregiver - an individual who is responsible for the supervision and administration of a child development home or child development center. (29 DCR 4913)

Caterer, catering establishment - a person or business that prepares and provides food or beverages or both, along with the necessary accessories for serving these products, for ordinary home consumption. The food and beverages are provided for events that are located off the business establishment's premises. Any establishment that receives more than seventy-five percent (75%) of its sales from orders placed less than three (3) hours prior to delivery or pick-up will not be considered a catering establishment. (40 DCR 3744)

Cellar - that portion of a story, the ceiling of which is less than four feet (4 ft.) above the adjacent finished grade.

Central Area - the area included within the combined boundaries of the Urban Renewal Plan for the Downtown Urban Renewal Area and the Urban Renewal Plan for the Shaw School Urban Renewal Area, as approved and modified periodically by the National Capital Planning Commission and the Council of the District of Columbia. (45 DCR 1046)

Central Employment Area (CEA) - the core area of the District of Columbia, where the greatest concentration of employment in the city and region is encouraged. The geographic boundaries of the CEA are detailed in the Comprehensive Plan, 10 DCMR 199. (45 DCR 1047)

Chancery - the principal offices of a foreign mission used for diplomatic or related purposes, and annexes to the offices (including ancillary offices and support facilities), including the site and any building on the site which is used for diplomatic or related purposes. (30 DCR 3270)

Child/elderly development center - a building or part of a building, other than a child development home or elderly day care home, used for the licensed care, education, counseling or training of individuals fifteen (15) years of age or less and/or for care of elderly individuals, totaling six (6) or more persons, who are not related by blood or marriage to the caregiver and who are present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as child care centers, day care centers, pre-schools, nursery schools, before-and-after school programs, senior care centers, elder care programs, and similar programs and facilities. A child/elderly development center includes the following accessory uses: counseling, education, training and health and social services of the parents or principal guardians of children attending the center.

Child development home - a dwelling unit used in part for the licensed care, education, or training of no more than five (5) individuals fifteen (15) years of age or less. Those individuals receiving care, education, or training who are not related by blood, marriage, or adoption to the caregiver shall be present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as a child care center, day care center, pre-school, nursery school, before-and-after school programs, and similar programs and facilities. (29 DCR 4913)

Clinic - a building or part of a building in which members of the medical or dental professions are associated for the purpose of conducting a joint practice of the professions. Each clinic shall contain a diagnostic center and, in addition, may contain research, educational, minor surgical, or treatment facilities; Provided, that all the facilities are limited to the treatment and care of outpatients.

The term "clinic" shall be limited to those buildings in which the joint practice of medical or dental professions is conducted in such a manner that all fees for services rendered are established by and paid to a common business office without direct payment of the fees to individual practitioners, and shall not include a building in which the separate and individual practice of the above professions is conducted.

Club, private - building and facilities or premises used or operated by an organization or association for some common avocational purpose such as, but not limited to, a fraternal, social, educational, or recreational purpose; Provided, that the organization or association shall be a non-profit corporation and registered with the U.S. Internal Revenue Service, that goods, services, food, and beverages shall be sold on the premises only to members and their guests, and that office space and activities shall be limited to that necessary and customarily incidental to maintaining the membership and financial records of the organization. (21 DCR 1423)

Community house - a group of three (3) one-family dwellings, each on a separate lot, erected simultaneously as a group, with each of the outer dwellings having a side yard.

Community-based residential facility - a residential facility for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living. This definition includes, but is not limited to, facilities covered by D.C. Law 2-35, The Community Residence Facilities Licensure Act of 1977, and facilities formerly known as convalescent or nursing home, residential halfway house or social service center, philanthropic or eleemosynary institution, and personal care home.

If an establishment is a community-based residential facility as defined in this section, it shall not be deemed to constitute any other use permitted under the authority of these regulations. A community-based residential facility may include separate living quarters for resident supervisors and their families. All community-based residential facilities shall be included in one (1) or more of the following subcategories:

- (a) **Adult rehabilitation home** - a facility providing residential care for one (1) or more individuals sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense, or any individual twenty-one (21) years of age or older, under pre-trial detention or sentenced court orders;
- (b) **Community residence facility** - a facility that meets the definition for and is licensed as a community residence facility under the Health Care Facilities and Community Residence Facilities Regulations, 22 DCMR §3099.1, as that definition may be amended from time to time;
- (c) **Emergency shelter** - a facility providing temporary housing for one (1) or more individuals who are otherwise homeless and who are not in need of a long-term sheltered living arrangement, as that arrangement is defined in the Health Care Facilities and Community Residence Regulations, 22 DCMR 3099.1;
- (d) **Health care facility** - a facility that meets the definition for and is licensed as a skilled care facility or intermediate nursing care facility under the Health Care Facilities and Community Residence Regulations, 22 DCMR 3099.1, as those definitions may be amended from time to time;
- (e) **Substance abusers home** - a community residence facility that offers a sheltered living arrangement, as that arrangement is defined in the Health Care Facilities and Community Residence Facilities Regulations of the District of Columbia, 22 DCMR §3099.1, for one (1) or more individuals diagnosed by a medical doctor as abusers of alcohol, drugs, or other controlled substances;
- (f) **Youth rehabilitation home** - a facility providing residential care for one (1) or more individuals less than twenty-one (21) years of age who have been detained or committed by a court pursuant to their involvement in the commission of an act designated as an offense under the law of the District of Columbia, or of a state if the act occurred in a state, or under federal law. The facility shall not house persons sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense; or
- (g) **Youth residential care home** - a facility providing safe, hygienic, sheltered living arrangements for one (1) or more individuals less than eighteen (18) years of age, not related by blood, adoption, or marriage to the operator of the facility, who are

ambulatory and able to perform the activities of daily living with minimal assistance.
(28 DCR 3483)

Court - an unoccupied space, not a court niche, open to the sky, on the same lot with a building, which is bounded on two (2) or more sides by the exterior walls of the building or by two (2) or more exterior walls, lot lines, or yards. A court may also be bounded by a single curved wall of a building. (28 DCR 4192)

Court, closed - a court surrounded on all sides by the exterior walls of a building, or by exterior walls of a building and side or rear lot lines, or by alley lines where the alley is less than ten feet (10 ft.) in width.

Court, height of - the vertical distance from the lowest level of the court to the highest point of any bounding wall. (24 DCR 10787)

Court, length of - the mean horizontal distance between the open and closed end of an open court or the greater horizontal dimension of a closed court.

Court niche - an indentation, recess, or decorative architectural treatment of the exterior wall of a building, not a court, which opens onto a street, yard, alley, or court. (28 DCR 4192)

Court niche, depth of - the greatest distance between the sides of the court niche, measured perpendicular to the line delineating the width of court niche. (28 DCR 4192)

Court niche, width of - the distance between the two (2) points created by the intersection of the sides of the court niche and the sides of the court, yard, street, or alley it abuts. (28 DCR 4192)

Court, open - a court opening onto a street, yard, or an alley not less than ten feet (10 ft.) wide.

Court, width of - the minimum horizontal dimension substantially parallel with the open end of an open court or the lesser horizontal dimension of a closed court; or, in the case of a non-rectangular court, the diameter of the largest circle that may be inscribed in a horizontal plane within the court. (28 DCR 4192)

Dinner Theater - a restaurant with a stage or performing area where the main activity is the serving of dinner and following dinner, the performance of a play or musical theater. (39 DCR 8328)

District - sections of the District of Columbia delineated on the Zoning Map for which the regulations governing the use of land and the use, density, bulk, and height of buildings or other structures are the same.

Downtown Urban Renewal Area - the area included within the boundaries of the Urban Renewal Plan for the Downtown Urban Renewal Area, as modified by the National Capital Planning Commission and approved by the Council of the District of Columbia through July 5, 1983. (31 DCR 6585)

Drive-through - a system designed to permit customers of a restaurant, fast food restaurant, bank, dry cleaning or other establishment to obtain goods or services by driving through the property and conducting the transaction while the customer remains within a

motor vehicle. The system has two (2) major parts; a vehicular queuing lane or lanes, and one (1) or more service locations, where customers place orders or receive services, or both. No part of this definition shall be construed to apply to a gasoline service station. (32 DCR 4374)

Dwelling - a building designed or used for human habitation. When used without a qualifying term, it shall mean a one-family dwelling.

Dwelling, multiple – a building containing three (3) or more dwelling units or rooming units, or any combination of these units totaling three (3) or more.

Dwelling, one-family – a dwelling used exclusively as a residence for one (1) family.

Dwelling, one-family detached – a one-family dwelling, completely separated from all other buildings and having two (2) side yards.

Dwelling, one-family semi-detached – a one-family dwelling, the wall on one (1) side of which is either a party wall, or lot line wall, having one (1) side yard.

Dwelling, row – a one-family dwelling having no side yards.

Dwelling, two-family – a dwelling used exclusively as a residence for two (2) families living independently of each other. A two-family dwelling is a flat.

Dwelling unit – one (1) or more habitable rooms forming a single unit that is used for living and sleeping purposes, which may or may not contain cooking facilities. The term dwelling unit shall include a dwelling, apartment, bachelor apartment, or tenement, but shall not include a rooming unit.

Elderly day care home – a dwelling unit used in part for the care, education, recreation or training of no more than five (5) elderly individuals who are not related by blood or marriage to the caregiver and who are present for less than 24 hours per day. This definition encompasses facilities generally known as senior care centers, elder care programs, and similar programs and facilities.

Embassy – the official residence of an ambassador or other chief of a diplomatic mission, or that portion of a combined chancery/embassy devoted to use as such official residence. (25 DCR 2771)

Enclosed pedestrian space – an area, located within a building, designed for pedestrian use and enclosed on all sides, that may be covered by a roof of a transparent material which exposes the area to natural light. (24 DCR 10786)

Family – one (1) or more persons related by blood, marriage, or adoption, or not more than six (6) persons who are not so related, including foster children, living together as a single house-keeping unit, using certain rooms and housekeeping facilities in common; Provided, that the term family shall include a religious community having not more than fifteen (15) members.

Flat – a two-family dwelling.

Floor area ratio – a figure that expresses the total gross floor area as a multiple of the area of the lot. This figure is determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

Food delivery service - a restaurant, delicatessen or fast food restaurant in which the principal use is delivery of prepared food by motor vehicle to customers located off the business premises. Seating and tables for customers may or may not be provided for on-premises consumption, but if present are clearly subordinate to the principal use of

delivering prepared food to off-site customers. Any establishment that derives more than seventy-five percent (75%) of its sales from delivery orders will be considered a food delivery service in all cases. This definition does not include catering establishments. (40 DCR 3744)

Garage, mechanical parking - a building or other structure without repair or service facilities in which parking is accomplished entirely by means of elevators and in such a manner that there is no human occupancy other than by the elevator operators anywhere except on the main floor.

Garage, parking - a building or other structure, or part of a building or structure, over nine hundred square feet (900 ft.²) in area, used for the parking of motor vehicles without repair or service facilities. The term parking garage may include a parking garage accessory to the principal use, but shall not include a mechanical parking garage.

Garage, private - a building or other structure, or part of a building or structure, not exceeding nine hundred square feet (900 ft.²) in area, used for the parking of one (1) or more motor vehicles and having no repair or service facilities.

Garage, public storage - a building or other structure, or part of a building or structure, in which any repair, greasing, washing, or similar services are incidental to its primary use for the parking of motor vehicles.

Garage, repair - a building or other structure, or part of a building or structure, with facilities for the repair of motor vehicles, including body and fender repair, painting, rebuilding, reconditioning, upholstering, equipping, or other motor vehicle maintenance or repair.

Gasoline service station - an area of land, including any structures on the area, used for the retail sale of motor fuel and lubricants and incidental services such as lubrication and hand-washing, and the sale, installation, or minor repair of tires, batteries, or other automobile accessories. The term gasoline service station shall not include an automobile laundry or a repair garage.

Gross floor area - the sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls and from the center line of walls separating two (2) buildings.

The term “gross floor area” shall include basements, elevator shafts, and stairwells at each story; floor space used for mechanical equipment (with structural headroom of six feet six inches (6 ft. 6 in.) or more); penthouses; attic space (whether or not a floor has actually been laid, providing structural headroom of six feet six inches (6 ft. 6 in.) or more); interior balconies; and mezzanines.

The term “gross floor area” shall not include cellars, and outside balconies that do not exceed a projection of six feet (6 ft.) beyond the exterior walls of the building. Habitable room - an undivided enclosed space used for living, sleeping, or kitchen facilities. The term habitable room shall not include attics, cellars, corridors, hallways, laundries, serving or storage pantries, bathrooms, or similar space; neither shall it include mechanically ventilated interior kitchens less than one hundred square feet (100 ft.²) in area, more kitchens in commercial establishments.

Historic district - an area, place, site, vicinity, or neighborhood designated as such by the Joint Committee on Landmarks of the National Capital for inclusion in the District of Columbia Inventory of Historic Sites. (25 DCR 2772)

Historic landmark - a building, structure, site, place, monument, work of art, or other similar object designated as such by the Joint Committee on Landmarks of the National Capital for inclusion in the District of Columbia Inventory of Historic Sites. (25 DCR 2772)

Home sales party - a gathering, which is held at a dwelling of any kind for the purpose of selling or distributing goods or services. (35 DCR 6916)

Hotel - a building or part of a building in which not less than thirty (30) habitable rooms or suites are reserved primarily for transient guests who rent the rooms or suites on a daily basis and where meals, prepared in a kitchen on the premises by the management or a concessionaire of the management, may be eaten in a dining room accommodating simultaneously not less than thirty (30) persons. The dining room shall be internally accessible from the lobby.

The term “hotel” shall not be interpreted to include an apartment house, rooming house, boarding house, tenement house, or private club. All areas within a hotel shall be included in one (1) of the following categories:

- (a) Commercial adjuncts - retail and service establishments customarily incidental and subordinate to hotel use, such as restaurant, dining room, cocktail lounge, coffee shop, dry cleaning, laundry, pressing or tailoring establishment, florist shop, barber shop, beauty parlor, cigar or news stand, and other similar uses;
- (b) Exhibit space - floor area within a hotel primarily designed for the display and storage of exhibits for conferences, trade fairs, and similar group events;
- (c) Function room - a room within a hotel used primarily to accommodate gatherings of hotel guests and visitors, such as meetings, banquets, and other group events;
- (d) Guest room areas - floor area within a hotel devoted to guestrooms or suites, including individual bathrooms, entrance foyers, corridors, elevators, stairs, floor pantries, and other space directly supportive of guest rooms. The main lobby, front desk, and hotel administrative offices are also included in guest room areas for purposes of pro-rating floor area between residential and non-residential uses in applicable zones; and
- (e) Service areas - floor area within a hotel devoted to mechanical services and storage supportive of the hotel as a total entity, including boiler room, mechanical platforms, electrical switchboard, workshops and maintenance areas, storage areas, employee facilities (locker rooms, canteen, engineer's office), and similar uses. (36 DCR 7625)

Impervious surface - an area that impedes the percolation of water into the subsoil and impedes plant growth. Impervious surfaces include the footprints of principal and accessory buildings, footprints of patios, driveways, other paved areas, tennis courts, and swimming pools, and any path or walkway that is covered by impervious material. (39 DCR 1904)

Impervious surface coverage - the percentage of the land area of a lot that is covered by impervious surfaces, which percentage shall be determined by dividing the gross impervious surface area of a lot by the total area of the lot. (39 DCR 1904)

Inn - a building or part of a building in which habitable rooms or suites are reserved primarily for transient guests who rent the rooms or suites on a daily basis. Guest rooms or suites may include kitchens, but central dining, other than breakfast for guests, is not allowed. The term "inn" may be interpreted to include an establishment known as a bed and breakfast, hostel, or tourist home, but shall not be interpreted to include a hotel, motel, private club, rooming house, boarding house, tenement house, or apartment house. (36 DCR 7625)

Intermediate Materials Recycling Facility - a fully enclosed structure used for the receipt, separation, storage, conversion, baling, and processing of paper, metal, glass, plastics, tires, bulk waste, and other non-biodegradable recyclable materials for the purpose of reutilization of the materials. The facility shall not include storage or processing of biodegradable materials, construction and demolition debris, white goods, and hazardous substances, as defined by D.C. Law 8-36, Environmental Policy Act of 1989, and the rules and regulations under the Act. The facility shall be limited in operation to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of acceptable materials. (40 DCR 1951)

International organization - a public, international organization designated as such pursuant to the International Organizations Immunities Act (22 U.S.C. 288-288f-2) or a public international organization created pursuant to a treaty or other international agreement as an instrument through or by which two (2) or more foreign governments engage in some aspect of their conduct of international affairs, and an official mission (other than a United States mission) to a public international organization, including any real property of the organization or mission, and including the personnel of the organization or mission. (30 DCR 3270)

Legitimate Theater - a building, or a part of a building, that is designed and used for the presentation of live plays and other forms of dramatic performance. The facility typically has a stage or other performing area plus tiers of seats for the audience, or other arrangements for the audience to sit or stand to view the performance. (39 DCR 8328)

Line, building - a line beyond which property owners have no legal or vested right to extend a building or any part of the building without special permission and approval of the proper authorities; ordinarily a line of demarcation between public and private property, but also applied to building restriction lines, when recorded on the records of the Surveyor of the District of Columbia.

Lines, lot - the lines bounding a lot as defined in this section.

Loading berth - an off-street space provided for cargo vehicles, when loading and unloading.

Lot - the land bounded by definite lines that, when occupied or to be occupied by a building or structure and accessory buildings, includes the open spaces required under this title. A lot may or may not be the land so recorded on the records of the Surveyor of the District of Columbia.

Lot, alley - a lot facing or abutting an alley and at no point facing or abutting a street.

Lot, corner - a lot fronting on two (2) or more streets at their junction, with the streets forming with each other an angle of forty-five degrees (45°) up to and including one hundred thirty-five degrees (135°).

Lot, interior - a lot other than a corner lot or a triangular lot.

Lot of record - a lot recorded on the records of the Surveyor of the District of Columbia.

Lot, parking - a tract of land used for the temporary parking of motor vehicles when the use is not accessory to any other use.

Lot, through - an interior lot having frontage on two (2) or more streets where the streets differ in direction by forty-five degrees (45°) or less.

Lot, triangular - a lot fronting on two (2) streets at their junction, the streets forming with each other an angle of less than forty-five degrees (45°).

Lot, width of - the distance between the side lot lines, measured along the building line; except that, in the case of an irregularly shaped lot, the width of the lot shall be the average distance between the side lot lines. Where the building line is on a skew, the width of the lot shall be the distance between side lot lines perpendicular to the axis of the lot taken where either side lot lines intersects the building line.

Main floor - the floor of the story in which the principal entrance of a building is located.

Mass transit facilities - facilities, such as but not limited to stations, trackage, ventilating and electrical equipment, and parking lots or structure and bus or automobile transfer areas, which have been determined by the District of Columbia Council to be necessary to the operation of a fixed right-of-way mass transit system and subject to the restrictions and conditions as may be imposed by the Council. Mass transit facilities shall not include commercial, residential, industrial, or other development located in, on, or over facilities approved as part of the basic operating system. (19 DCR 489)

Mechanical amusement machine - a machine or device offered for use by persons of all ages as a game or for entertainment or amusement, and which is activated or operated by the user, an operator, or other person, or by the insertion of a coin, slug, token, plate, disk, or magnetically encoded card, and requiring a degree of dexterity or skill by the persons in the use of the machine or device. The term "mechanical amusement machine" shall include but not be limited to a pinball machine, flipper game, electronic video game, mechanical or electronic target game, or other similar machine or device; but shall not include small kiddie rides or juke boxes. (25 DCR 7160)

Mezzanine - a floor space within a story between its floor and the floor or roof next above it and having an area of not more than one-third (1/3) of the area of the floor immediately below. A mezzanine shall not be considered a story in determining the maximum number of permitted stories.

Motel - a building containing nonconnecting habitable rooms, suites, or combinations of both, reserved exclusively for transient guests; with each room or suite having a private bath and at least one (1) private parking space, except as provided for in the Waterfront Districts in §932 and in the CR Districts in §632. (21 DCR 1030 and 21 DCR 1423)

Nonconforming structure - a structure, lawfully existing at the time this title or any amendment to this title become effective, which does not conform to all provisions of this title or the amendment, other than use, parking, loading, and roof structure requirements. Regulatory standards that create nonconformity of structures include, but are not limited to, height of building, lot area, width of lot, floor area ratio, lot occupancy, yard, court, and residential recreation space requirements. (30 DCR 3922)

Nonconforming use - any use of land or of a structure, or of a structure and land in combination, lawfully in existence at the time this title or any amendment to this title become effective, which does not conform to the use provisions for the district in which the use is located. A use lawfully in existence at the time of adoption or amendment of this title, which would thereafter require special exception approval from the Board of Zoning Adjustment shall not be deemed a nonconforming use. That nonconforming use shall be considered a conforming use, subject to the further provisions of §§3108.2 and 3108.3. (30 DCR 3922)

Open arcade - a continuous area, located along the perimeter of a building, designed for pedestrian uses, and which adjoins a street for its entire length; and, except for structural piers, columns, or arches, is open to the street. (24 DCR 10787)

Organization, nonprofit - an organization organized and operated exclusively for religious, charitable, literary, scientific, community, or educational purposes, or for the prevention of cruelty to children or animals; Provided, that no part of its net income inures to the benefit of any private shareholder or individual.

Parking space - an off-street area accessible and of appropriate dimensions to be used exclusively for the temporary parking of a motor vehicle. (31 DCR 6585)

Parking space, bicycle - a space for the temporary storage of a bicycle in the form of a rack, locker, or storage area of appropriate design and dimension, used exclusively for the storage of a bicycle. (31 DCR 6585)

Percentage of lot occupancy - a figure that expresses that portion of a lot lying within lot lines and building lines which is occupied or which may be occupied under the provisions of this title as building area; except as provided in the Waterfront and Mixed Use districts wherein the percentage of lot occupancy may be calculated on a horizontal plane located at the lowest level where residential uses begin. (19 DCR 281 and 21 DCR 1423)

Planned unit development - a plan for the development of residential, institutional, and commercial developments, industrial parks, urban renewal projects, or a combination of these, on land of a minimum area in one (1) or more districts irrespective of restrictions imposed by the general provisions of the Zoning Regulations, as more specifically set forth in chapter 24. (15 DCR 170)

Recreational building or use - any establishment providing facilities for recreation; including but not limited to picnicking, boating, fishing, bicycling, tennis, and activities incidental to the foregoing, but not including golf driving ranges or any mechanical amusement device. (21 DCR 1030)

Residential recreation space - an area on the lot or within the building or other structure which is equipped or landscaped for recreational use by the residents of the building or other structure and is freely accessible to the residents. (24 DCR 10787)

Restaurant - a place of business where food, drinks or refreshments are prepared and sold to customers primarily for consumption on the premises. This term shall include, but not be limited to an establishment known as a cafe, lunch counter, cafeteria or other similar business, but shall not include a fast food restaurant. In a restaurant, any facilities for carry-out shall be clearly subordinate to the principal use providing prepared foods for consumption on the premises. (32 DCR 4374)

Restaurant, fast food - a place of business devoted to the preparation and retail sale of ready-to-consume food or beverages for consumption on or off the premises. A restaurant will be considered a fast food restaurant if it has a drive-through. A restaurant will be considered a fast food restaurant if the floor space allocated and used for customer queuing self-service for carry out and on-premises consumption is greater than ten percent (10%) of the total floor space on any one (1) floor which is accessible to the public, and it exhibits one (1) of the two (2) following characteristics:

- (a) At least sixty percent (60%) of the food items are already prepared or packaged before the customer places an order; and
- (b) The establishment primarily serves its food and beverages in disposable containers and provides disposable tableware. (This definition does not include an establishment known as retail grocery store, convenience store, ice cream parlor, delicatessen, or other businesses selling food or beverages as an accessory use, or for off-premises preparation and consumption.) (32 DCR 4374)

Rooming house - a building or part of a building that provides sleeping accommodations for three (3) or more persons who are not members of the immediate family of the resident operator or manager, and in which accommodations are not under the exclusive control of the occupants. A rooming house provides accommodations on a monthly or longer basis. The term "rooming house" shall not be interpreted to include an establishment known as, or defined in this title as, a hotel, motel, inn, bed and breakfast, private club, tourist home, guest house, or other transient accommodation. (36 DCR 7625)

Rooming unit - one (1) or more habitable rooms forming a single, habitable unit used or intended to be used for living or sleeping purposes; but not for the preparation or eating of meals. The term rooming unit shall not include a tenement or a bachelor apartment.

School, public - a building operated and maintained by the District of Columbia Board of Education for educational purposes and such other community uses as deemed necessary and desirable.

The term shall include all educational functions, the building or structure required to house them, and all accessory uses normally incidental to a public school; including but not restricted to athletic fields, field houses, gymnasiums, parking lots, greenhouses, playgrounds, stadiums, and open space.

The term also shall include a community-centered school campus; Provided, that no part of the building or structure shall be used to house the administrative offices or maintenance and repair shop intended or used for the entire school system, or as a technical or vocational school. (15 DCR 29)

Service/delivery loading space - an off-street space provided for motor vehicles which are twenty feet (20 ft.) in length or less, and which are making deliveries and/or providing a maintenance service. This space shall not be considered a parking space or a loading berth. (31 DCR 6585)

Sexually-oriented business establishment - an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, films, materials, and articles or an establishment that presents as a substantial or significant portion of its activity, live performances, films, or other material which are distinguished or characterized by their emphasis on matters depicting, describing, or related to specified sexual activities and specified anatomical areas.

These establishments may include, but are not limited to, bookstores, newsstands, theaters, and amusement enterprises. If an establishment is a sexually-oriented business establishment, as defined here, it shall not be deemed to constitute any other use permitted under the authority of this title. (24 DCR 5144)

Specified anatomical areas - parts of the human body as follows:

- (a) Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
- (b) Human genitals in a discernibly turgid state, even if completely and opaquely covered. (24 DCR 5144)

Specified sexual activities - the following activities:

- (a) Acts of human masturbation, sexual intercourse, sexual stimulation or arousal, sodomy, or bestiality; and
- (b) Fondling or other erotic touching of human genitals, pubic region, buttock, or breast. (24 DCR 5144)

Square - land designated as square on the records of the Surveyor of the District of Columbia.

Stable, private - an accessory building housing not more than four (4) horses or other equine animals for private use and not for remuneration, hire, or sale. The building may also house not more than four (4) horse-drawn vehicles.

Stable, public - a stable, other than a private stable.

Story - the space between the surface of two (2) successive floors in a building or between the top floor and the ceiling or underside of the roof framing. The number of stories shall be counted at the point from which the height of the building is measured.

For the purpose of determining the maximum number of permitted stories, the term "story" shall not include cellars, stair or elevator penthouses, or other roof structures; Provided, that the total area of all roof structures located above the top story shall not exceed one-third (1/3) of the total roof area.

Story, top - the uppermost portion of any building or structure that is used for purposes other than housing for mechanical equipment, or elevator or stairway penthouses. The term "top story" shall exclude architectural embell.

Street - a public highway designated as a street, avenue, or road on the records of the Surveyor of the District of Columbia.

Street frontage - the property line where a lot abuts upon a street. When a lot abuts upon more than one (1) street, the owner shall have the option of selecting which is to be the front for purposes of determining street frontage.

Structure - anything constructed, including a building, the use of which requires permanent location on the ground, or anything attached to something having a permanent location on the ground and including, among other things, radio or television towers, reviewing stands, platforms, flag poles, tanks, bins, gas holders, chimneys, bridges, and retaining walls. The term structure shall not include mechanical equipment, but shall include the supports for mechanical equipment.

Tenement - One (1) or more habitable rooms in an apartment house, under the exclusive control of the occupant of the apartment house.

Tenement house - a building or part of a building containing three (3) or more tenements, or any building or part of a building containing any combination of three (3) or more tenements and apartments.

Through square connection - a continuous improved area through a square for pedestrians providing a connection between two (2) parallel or opposite streets or on a corner lot; Provided, that the entrances to the area shall not be less than thirty feet (30 ft.) from the corner. (24 DCR 10787)

Uptown center - a multi-purpose major activity center with strong transit orientations and significant concentration of employment and high density residential as the principal elements, developed in a manner that serves the surrounding lower density community while protecting it from avoidable intrusions. (21 DCR 1423)

Use, accessory - a use customarily incidental and subordinate to the principal use, and located on the same lot with the principal use.

Wall, lot line - an enclosing wall constructed immediately adjacent to a side lot line, but not a party wall.

Warehouse - any building or premises where goods or chattel are stored.

The term "warehouse" shall not include storage clearly incidental to the conduct of a retail business or other permitted use on the premises.

Wholesale use - the sale of goods to retail or service establishments which in turn will sell them to consumers who will directly use the commodity. (21 DCR 1030)

Yard - an exterior space, other than a court, on the same lot with a building or other structure. A yard required by the provisions of this title shall be open to the sky from the ground up, and shall not be occupied by any building or structure, except as specifically provided in this title. No building or structure shall occupy in excess of fifty percent (50%) of a yard required by this title.

Yard, rear - a yard between the rear line of a building or other structure and the rear lot line, except as provided elsewhere in this title. The rear yard shall be for the full width of the lot and shall be unoccupied, except as specifically authorized in this title.

Yard, rear, depth of - the mean horizontal distance between the rear line of a building and the rear lot line, except as provided elsewhere in this title.

Yard, side - a yard between any portion of a building or other structure and the adjacent side lot line, extending for the full depth of the building or structure.

199.2 For the purpose of this title, the following definitions shall not be held to modify or affect in any way the legal interpretations of these terms or words where used in other regulations:

- (a) Words in the present tense shall include the future tense;
- (b) Words in the singular number shall include the plural number, and words in the plural number shall include the singular number;
- (c) The word "lot" shall include the words "plot" and "parcel";
- (d) The word "shall" is mandatory and not directory;
- (e) The word "person" shall include a corporation as well as an individual;
- (f) The words "occupied" and "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied, offered for occupancy"; and
- (g) Words not defined in this section shall have the meanings given in *Webster's Unabridged Dictionary*.